

#13  
PATENT APPLICATION 2

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Attention: OFFICE OF PETITIONS

Hideki KOMATSUDA et al.

Group Art Unit: 2882

Application No.: 09/396,582

Examiner: C. Church

Filed: September 15, 1999

Docket No.: 105203

For: EXPOSURE APPARATUS AND EXPOSURE METHOD USING SAME

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**RENEWED PETITION UNDER 37 C.F.R. §1.181(a)  
FOR WITHDRAWAL OF HOLDING OF ABANDONMENT**

Director of the U.S. Patent and Trademark Office  
Washington, D.C. 20231

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Sir:

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This is in response to the Decision on Petition mailed by the Patent Office on July 5, 2002 for the above-identified application. On April 24, 2002 Applicants filed a Petition to Withdraw the Holding of Abandonment in response to the Notice of Abandonment which was mailed on April 11, 2002. The July 5 Decision on Petition dismissed Applicants' Petition. Applicants respectfully request that the Patent Office reconsider its decision, which is based on an incorrect understanding of the facts associated with this application.

As stated in Applicants' April 24 Petition, in response to the Notice of Allowance dated September 25, 2001, Applicants filed a Request for Continued Examination (RCE) and an Information Disclosure Statement (IDS) on December 17, 2001, well prior to the December 25 due date for paying the Issue Fee. The July 5 Decision on Petition appears to completely overlook these facts, which were pointed out in Applicants' Petition. In addition, Applicants' Petition enclosed copies of the December 17 RCE and IDS, as well as the PTO-date-stamped receipt acknowledging that these documents were filed with the Patent Office on December 17. Another copy of these documents are attached hereto. Furthermore,

the PTO PAIR system clearly shows that these documents were received by the Patent Office on December 17 (see items 33-36 of the attached PAIR printout).

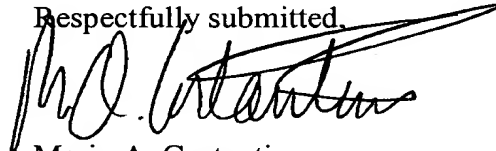
Thus, while the Decision on Petition correctly states that the September 25, 2001 Notice of Allowance was issued in response to an RCE and IDS (and an Amendment) filed on June 13, 2001 (in response to a previous Notice of Allowance), the Decision completely overlooks the fact that Applicants filed another RCE and another IDS in response to the September 25 Notice of Allowance.

Accordingly, Applicants respectfully request that: (1) Applicants' April 24, 2002 Petition be granted, (2) the April 11, 2002 Notice of Abandonment be withdrawn, and (3) the December 17, 2001 RCE and IDS be properly entered and considered by the Examiner.

Although it is believed that no fees are necessary for this Petition (see, for example, MPEP 711.03(c)I), the Director is hereby authorized to charge Deposit Account No. 15-0461 for any fees deemed necessary.

The appropriate Patent Office official is invited to contact Applicants' undersigned attorney at the telephone number listed below if there are any questions, or if anything further is desired by the Patent Office in order to grant this Petition.

Respectfully submitted,



Mario A. Costantino  
Registration No. 33,565

MAC/ccs

Attachments:

PAIR Printout  
PTO-date-stamped receipt  
December 17, 2001 Request for Continued Examination  
December 17, 2001 Information Disclosure Statement with attachments

Date: July 16, 2002

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 19928**  
**Alexandria, Virginia 22320**  
**Telephone: (703) 836-6400**

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>
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UNITED STATES PATENT AND TRADEMARK OFFICE

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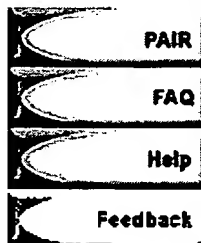
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Search

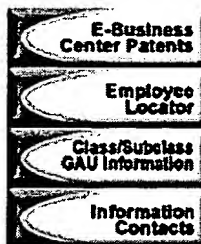
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## Search results for application number: 09/396,582

Application Filing Date:	09-15-1999	Class / Sub-Class:	378/034.000
Issue Date of Patent:	-	Location:	FILE REPOSITORY (F
Examiner Name:	CHURCH, CRAIG E	Status:	Abandoned - Failure Fee
Group Art Unit:	2882	Attorney Docket Number:	105203
Earliest Publication No:	-	Patent Number:	-
Earliest Publication Date:	-	Customer Number:	25944
Confirmation Number:	7643		

Foreign Priority

Continuity Data

Publication Review

## File Contents History

Number	Date	Contents Description
43	07-05-2002	Petition Decision - Dismissed
42.9	07-05-2002	Delete Transaction
41	04-30-2002	Petition Entered
40	04-11-2002	Mail Abandonment for Failure to Pay Issue Fee
39	04-11-2002	Abandonment for Failure to Pay Issue Fee
38	01-24-2002	Receipt into Pubs
37	03-29-2001	Workflow - File Sent to Contractor
36	12-17-2001	Workflow - Informational Disclosure Statement - Finish
35	12-17-2001	Workflow - Request for RCE - Finish
34	12-17-2001	Workflow - Informational Disclosure Statement - Begin
33	12-17-2001	Workflow - Request for RCE - Begin
32	09-26-2001	Receipt into Pubs
31	09-26-2001	Receipt into Pubs
30	09-25-2001	Mail Notice of Allowance
29	09-25-2001	Notice of Allowance Data Verification Completed
28	09-24-2001	Notice of Allowability
27	08-07-2001	Date Forwarded to Examiner
26	06-13-2001	Supplemental Response
25	08-07-2001	Date Forwarded to Examiner
24	06-13-2001	Request for Continued Examination (RCE)
23	06-13-2001	Mail Express Abandonment (During Examination)
22	06-13-2001	Express Abandonment (during Examination)
21	06-13-2001	Information Disclosure Statement (IDS) Filed
20	04-12-2001	New or Additional Drawing Filed
19	08-07-2001	Date Forwarded to Examiner

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18	08-07-2001	Withdrawal of Notice of Allowance
17	06-13-2001	Workflow - Request for RCE - Finish
16	06-13-2001	Workflow - Request for RCE - Begin
15	04-12-2001	Workflow - Drawings Received at Contractor
14	04-12-2001	Workflow - Drawings Sent to Contractor
13	03-13-2001	Mail Notice of Allowance
12	03-13-2001	Notice of Allowance Data Verification Completed
11	03-12-2001	Notice of Allowability
10	11-30-2000	Case Docketed to Examiner in GAU
9	03-23-2000	Change in Power of Attorney (May Include Associate POA)
8	03-23-2000	Correspondence Address Change
7	03-23-2000	Change in Power of Attorney (May Include Associate POA)
6	11-22-1999	Request for Foreign Priority (Priority Papers May Be Included)
5	03-17-2000	Case Docketed to Examiner in GAU
4	11-22-1999	Request for Foreign Priority (Priority Papers May Be Included)
3	10-06-1999	Application Dispatched from OIPE
2	10-04-1999	Application Scanned
1	09-21-1999	Initial Exam Team nn

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[NEWS&NOTICES](#) | [CONTACT US](#) | [PRIVACY STATEMENT](#)

**PTO RECEIPT FOR FILING OF PAPERS**

**The following papers have been filed:**

RCE Transmittal, check no. 126045 (\$740); IDS, PTO-1449 w/European search report,  
1 reference and abstract

**Name of Applicant:** Hideki KOMATSUDA et al.

**Serial No.:** 09/396,582

**Atty. File No.:** 105203

**Title (New Cases):**

**Sender's Initials:** JAO:MAC/ccs

145/37

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In re the Application of

Hideki KOMATSUDA et al.

Group Art Unit: 2882

Application No.: 09/396,582

Examiner: C. Church

Filed: September 15, 1999

Docket No.: 105203

For: EXPOSURE APPARATUS AND EXPOSURE METHOD USING SAME

**LARGE ENTITY REQUEST FOR  
CONTINUED EXAMINATION UNDER 37 C.F.R. §1.114**

Director of the U.S. Patent and Trademark Office  
Washington, D.C. 20231

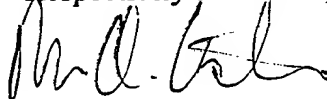
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OFFICE OF PETITIONS

Sir:

Applicants hereby request continued examination and entry and consideration of the attached submission under 37 C.F.R. §1.114. The above-identified application was filed on or after June 8, 1995. Thus, entry is proper under 37 C.F.R. §1.114(d).

Attached hereto is our check no. 126045 in the amount of ☒ \$740.00 as payment of the fees set forth in 37 C.F.R. §1.17(e). The Director is hereby authorized to charge any additional fees or credit any overpayment associated with this communication to Deposit Account No. 15-0461. Two duplicate copies of this page are enclosed.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

Mario A. Costantino  
Registration No. 33,565

JAO:MAC/ccs

Date: December 17, 2001

**OLIFF & BERRIDGE, P.L.C.**  
P.O. Box 19928  
Alexandria, Virginia 22320  
Telephone: (703) 836-6400

**DEPOSIT ACCOUNT USE  
AUTHORIZATION**

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